

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA )  
 )  
 )  
 )  
 v. ) Criminal No. 19-10420-NMG  
 )  
 )  
 )  
 )  
 KATHLEEN NOFTLE, )  
 )  
 )  
 )  
 Defendant )

## **JOINT MEMORANDUM FOR INITIAL STATUS REPORT**

The parties submit this joint memorandum addressing the issues set out in Local Rule 116.5(a).

## 1. Status of Automatic Discovery and Any Pending Discovery Request

On December 13, 2019, the government produced automatic discovery as required under the Local Rules. The government has also made available for the defendant's review additional electronic records.

2. The Timing of Any Additional Discovery to be Produced

The government will make such further and pre-trial disclosures as are required by law.

### 3. The Timing of Any Additional Discovery Requests

There are no pending discovery requests.

#### 4. Protective Orders

On December 12, 2019, the Court entered a protective order restricting the disclosure and dissemination of the documents and information produced by the government to the defendant in this case. *See* ECF No. 25.

## 5. The Timing of Pretrial Motions

It is premature to decide whether the defendant will file any pretrial motions under Fed. R. Crim. P. 12(b).

6. The Timing of Expert Witness Disclosures

The government agrees to provide any expert witness disclosures 30 days prior to trial.

The defendant agrees to provide any expert witness disclosures 21 days prior to trial.

7. Excludable Delay

On November 15, 2019, the Court entered an order excluding the time as to defendant Kathleen Noftle from November 5, 2019 until December 20, 2019 under 18 U.S.C. § 3161(h)(7)(A). *See* ECF No. 22.

The parties jointly ask the Court to exclude the time from December 20, 2019 until the date of the next status conference, under 18 U.S.C. § 3161(h)(7)(A), because the defendant has needed the time, and continues to need the time, to review discovery in this case. The ends of justice served by this exclusion outweigh the interests of the public and the defendant in a speedy trial.

8. Interim Status Conference

The parties ask the Court to schedule an interim status conference in 30 days.

Respectfully submitted,

ANDREW E. LELLING,  
United States Attorney

By: /s/ William B. Brady  
William B. Brady  
Assistant U.S. Attorney

KATHLEEN NOFTLE

By her attorney,

/s/ *Jessica P. Thrall*

Jessica P. Thrall, Esq.  
Assistant Federal Defender  
Federal Public Defender Office  
51 Sleeper Street  
5th Floor  
Boston, MA 02210

Dated: December 17, 2019